

US Serial No. 09/611,521 (Attorney Docket No. LIDO:003)

PATENT

#5
01-29-02
DW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frank Dean

Serial No.: 09/611,521

Filed: July 8, 2000

For: Chelation Compounds

§
§
§
§
§

Examiner: SAYALA, C.

Art Unit: 1761

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on November 2, 2001.

Karen Tripp

Karen Tripp

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

RECEIVED
JAN 28 2002
TC 1700

Dear Sir:

This is in response to the Office Action mailed October 2, 2001. No extension of time is believed needed for this response, since this response is being timely made within one month, but if an extension is determined to be due, the Commissioner is requested to grant such extension and is authorized to charge my deposit account, 50-0807, the fee for same.

The Examiner has required restriction of the claims under 35 USC 121. Election is needed between claims said to be directed to "a method of making and product thereof" (Group I.) and to "a fertilizer product" (Group II). The Examiner views these two groups of claims to be distinct.

Applicant respectfully traverses the requirement, respectfully submitting that a search for relevant art to Group II claims will also yield relevant art to Group I claims and thus examination of all of the claims is not overly burdensome or improper. Consequently, Applicant respectfully requests reconsideration of this restriction requirement. Applicant nevertheless provisionally elects Group II. That group consists of claims 2-5, 13-14, 16-18, 20-22, 24-26, 28-